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*Attorneys for Plaintiff*

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IN THE FOURTH JUDICIAL DISTRICT COURT  
IN AND FOR WASATCH COUNTY, STATE OF UTAH

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UTAH STREAM ACCESS COALITION, a Utah  
non-profit corporation,

Plaintiff,

vs.

ATC REALTY SIXTEEN, INC., a California  
corporation; et al.,

Defendants.

**UTAH STREAM ACCESS  
COALITION'S MOTION TO STRIKE  
AMICUS CURIAE UTAH ALLIANCE  
TO PROTECT PROPERTY RIGHTS'  
SUPPLEMENTAL BRIEF IN  
SUPPORT OF HB 141**

Civil No. 100500558

Hon. Derek Pullan

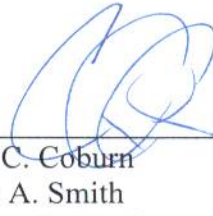
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Plaintiff Utah Stream Access Coalition , by and through its counsel of record and pursuant to Rule 12, Utah Rules of Civil Procedure, and, by corollary, Rule 25, Utah Rules of Appellate Procedure, hereby moves the Court for an order striking Amicus Curiae Utah Alliance to Protect Property Rights' ("the Alliance") Supplemental Brief in Support of HB 141. This motion is made on the basis that the court requested supplemental briefing only from the parties, not from amicus; that amicus cannot raise issues that the parties do not argue and have conceded for argument; and that amicus's Supplemental Brief is superfluous and unnecessary to the

disposition of these issues. This motion is more fully supported by a memorandum in support, filed herewith.<sup>1</sup>

DATED this 12 day of November, 2012.

RICHARDS BRANDT MILLER NELSON



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Craig C. Coburn  
Kallie A. Smith  
Kristina H. Ruedas  
Attorneys for Utah Stream Access Coalition

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<sup>1</sup> Should the Court deny this motion, the USAC would ask for an opportunity to reply to the substance of Amicus's Supplemental Brief.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 12 day of November, 2012, I served the foregoing ***UTAH STREAM ACCESS COALITION'S MOTION TO STRIKE AMICUS CURIAE UTAH ALLIANCE TO PROTECT PROPERTY RIGHTS' SUPPLEMENTAL BRIEF IN SUPPORT OF HB 141*** on the persons identified below and in the manner indicated below:

Thomas D. Roberts	<input type="checkbox"/>	U.S. Mail – Postage Prepaid
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Salt Lake City, UT 84114-0857	<input checked="" type="checkbox"/>	Electronic Mail
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Salt Lake City, UT 84101-1644	<input type="checkbox"/>	Facsimile
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Facsimile: (435)200-0084	<input checked="" type="checkbox"/>	Electronic Mail
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Michael D. Zimmerman	<input type="checkbox"/>	U.S. Mail – Postage Prepaid
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